

BNSF

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VIA UPS OVERNIGHT MAIL

September 22, 2004

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

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ENTERED
Office of Proceedings

SEP 23 2004

Part of
Public Record

Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 403X); The Burlington Northern and Santa Fe Railway Company Abandonment in Wichita, Kansas and between Wichita and Valley Center, in Sedgwick County, Kansas

Dear Secretary Williams:

Please reference the City of Wichita's letter dated September 15, 2004, regarding the above-referenced matter. The City of Wichita and BNSF are in negotiations to railbank a 9.78-mile segment of the right of way extending from milepost 494.22 at the Butler County/Sedgwick County line, to milepost 504.00 near Hydraulic Street, in downtown Wichita.

On April 22, 2003, the Board issued a decision in the above-referenced proceeding imposing a notice of interim trail use/rail banking ("NITU") condition. The Board imposed a deadline of October 19, 2003, on the NITU. Due to ongoing negotiations between the City of Wichita and BNSF, an additional 180-day extension was requested. On October 2, 2003, the Board extended the NITU negotiating period to April 16, 2004. Additional time was needed and an additional extension of 180 days was requested. On March 29, 2004, the Board extended the NITU an additional 180 days (until October 13, 2004). To date, the City and BNSF are still in negotiations and the City has initiated an extensive citizen involvement program to inform the public and the adjacent property owners on the railbanking and trail development process. BNSF concurs with the City of Wichita's request for an additional 180 day extension (until April 10, 2005) in order to facilitate public involvement and conclude negotiations.

If you have any questions, please contact me at (202) 347-8667.

Sincerely,

Sidney Strickland /js

Sidney L. Strickland, Jr.

SLS/js

cc: George Kolb (City of Wichita)
Jamsheed Mehta (City of Wichita)
James Gallegos
Jerry Johnson
Richard Batie
John Sims

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